

ZONING AND ADJUSTMENT BOARD

October 19, 2009

The Zoning and Adjustment Board of Sumter County, Florida, convened on Monday, October 19, 2009, at 6:30 pm with the following members present: Larry Story-Chairman, Frank Topping-Vice-Chairman, Ron Berry, Dossie Singleton, Brad Sheppard, Nathan Yoder, Frank Szczepanski, Richard Cole, Bob Hunt, Jessica Garner, and Woody Hill.

Members Marge Thies and Bailey Cassels were absent.

Sandy Cassels, Recording Secretary, and Michael Brannigan, Zoning and Adjustment Board Attorney, were present.

Chairman Larry Story called the meeting to order.

Ms. Garner led the pledge of allegiance, and Mr. Berry led the prayer.

Mr. Story presented the proof of publication.

Mr. Cole made a motion to approve the minutes from the September 21, 2009, meeting. Mr. Berry seconded the motion, and the motion carried.

T2009-0029

Joceline Bigras –Temporary Use Permit for three years to allow a mobile home as a caregiver's residence.

Joceline Bigras, applicant, was present and requested a Temporary Use Permit for three years to allow a mobile home as a caregiver's residence. There were five notices sent. Of the five notices sent, one was returned in favor and none were returned in objection. There were no objections from the audience.

Mr. Cole asked Ms. Bigras who will be receiving care. Ms. Bigras stated she will be the care receiver and her daughter will be providing the care. Mr. Topping asked Ms. Bigras if there will be two mobile homes on the property. Ms. Bigras stated there would be. Mr. Topping asked if the mobile home would be connected to an approved septic system. Mrs. Cassels stated as part of the building permitting process a connection to the septic system is required.

Mr. Topping made a motion to approve the Temporary Use Permit for three years to allow a mobile home as a caregiver's residence with the condition the mobile home is connected to an approved septic system. Mr. Cole seconded the motion, and the motion carried.

S2009-0014

Jo & James Wicker – Amend S2007-0012 to move a home occupation from a garage to a modular building.

Jo & James Wicker, applicants, were present and requested to amend S2007-0012 to move a home occupation from a garage to a modular building. There were four notices sent. Of the four notices sent, two were returned in favor and none were returned in objection. There were no objections from the audience.

Mr. Cole asked Mrs. Wicker if this amendment is to have better handicap accessibility for her home occupation; in which Mrs. Wicker stated it is. Mr. Berry asked how far the modular building will be placed from the primary residence. Mr. Wicker stated approximately 75'.

Mr. Topping asked if the Special Use Permit runs with the land or the property owner. Mr. Wicker stated he and his wife would be willing to sign an agreement stating the modular building would be removed if they ever sold the property. Mrs. Cassels also stated a Special Use Permit will generally run with the owner of the property, not the property.

Mr. Topping made a motion to approve the amendment to S2007-0012 to move the home occupation from a garage to a modular building. Mr. Cole asked if the motion could be amended to include for handicap

accessibly. Mr. Topping amended the motion to approve the amendment to S2007-0012 to move a home occupation from a garage to a modular building for handicap accessibly. Mr. Cole seconded the motion, and the motion carried.

S2009-0015

Betty & T.P. Caruthers, Jr. – Special Use Permit to allow a church in an existing commercial building.

Reggie Caruthers, representative for the applicant, was present and requested a Special Use Permit to allow a church in an existing commercial building for 25 seats. There were 11 notices sent. Of the 11 notices sent, none were returned in favor or in objection. There were no objections from the audience.

Mr. Topping questioned Mr. Caruthers on the size of the congregation. Mr. Caruthers stated this is a start up meeting place for the church. The Zoning and Adjustment Board (ZAB) members discussed with Mr. Caruthers amending the application to a larger number. Mr. Brannigan asked if the notices stated the number of seats. Mrs. Cassels stated the notices did not reflect the number of seats.

Mr. Topping made a motion to approve the Special Use Permit to allow a church in an existing commercial building. Mr. Cole seconded the motion, and the motion carried.

S2009-0016

BMCK, Inc. – Special Use Permit for a 6 COP Quota License to permit the sale of liquor/beer/wine for a proposed sports bar in an existing commercial building.

Dani Mehul, representative for the applicant, was present and requested a Special Use Permit for a 6 COP Quota License to permit the sale of liquor/beer/wine for a proposed sports bar in an existing commercial building. There were four notices sent. Of the four notices sent, none were returned in favor or in objection. There were no objections from the audience.

Mr. Berry asked Mr. Mehul if this would be in the Old Waffle House. Mr. Mehul stated it would. Mr. Berry asked Mr. Mehul if there were any similar businesses in the area; in which, Mr. Mehul stated not within a 5 mile radius. Mr. Cole asked if the location is within 500' of a church or school. Mrs. Cassels stated it is not within 500' of any prohibited places, such as schools, child/day care, hospital, public park, playground or library.

Mr. Topping made a motion to approve the Special Use Permit for a 6 COP Quota License to permit the sale of liquor/beer/wine for a proposed sports bar in an existing commercial building. Mr. Cole seconded the motion, and the motion carried.

Mr. Cole made a motion to adjourn at 6:50 P.M. Mr. Berry seconded the motion, and the motion carried.

Larry Story, Chairman
Zoning and Adjustment Board